
Appeal Decision

Site visit made on 10 March 2020

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/P0119/W/19/3243836

Quarryleaze, Lower Morton, Thornbury BS35 1LF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs A Hurley against the decision of South Gloucestershire Council.
 - The application Ref P19/3197/O, dated 19 March 2019, was refused by notice dated 11 July 2019.
 - The development proposed is erection of new dwelling on land adjacent to Quarryleaze.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Outline planning permission is sought with all matters reserved except for access. While the initial application form indicates otherwise, the main parties have confirmed that this was subsequently altered. I have had regard to the details provided in relation to access but have taken all other elements as illustrative. I have determined the appeal on this basis.

Main Issue

3. The main issue of the appeal is whether the proposed development would be in a suitable location for housing, having regard to the proximity to services and reliance on motor vehicles, and local and national policies.

Reasons

4. The appeal site is located on land that has been subject to a Certificate of Lawful Development (CLD) for use as part of the residential garden of the adjacent property. The site is largely grassed with a timber shed located to the rear of the site. There are mature landscape features within and along the boundaries of the site. There are residential properties opposite and other nearby.
5. Policy CS5 of the South Gloucestershire Local Plan Core Strategy (CS) provides the Council's strategy for development. It states that development in villages and other settlements without defined settlement boundaries will be strictly controlled. In such circumstances development may only come forward through Neighbourhood Planning Initiatives and rural housing exception site policy. In the open countryside, new development will be strictly limited. Policy CS34 of

- the CS, amongst other things, seeks to ensure developments take account of the vision for rural areas and maintain settlement boundaries.
6. Policy PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (PSP) states that residential development in the open countryside, outside the settlement boundaries are limited to certain exceptions. This includes the provision of a rural workers dwelling, a replacement dwelling, and the conversion and re-use of existing buildings.
 7. While the proposal would not extend beyond the area subject to the CLD, it is not located within any of the defined settlements and there is no substantive evidence before me that it meets any of the above exceptions.
 8. My attention has been drawn to services and facilities, in particular in Thornbury, that the appellants consider would be within a reasonable walking distance of the site. Some of these are within the distances considered appropriate in Policy PSP11 of the PSP.
 9. Notwithstanding this, in the main the roads near the site comprise unlit rural lanes with no footpaths, in some instances where the shape of the road limits forward visibility. The public rights of way (PROW) in the area have similar characteristics and are in part across fields. These circumstances do not lend themselves to safe use by pedestrians. Similarly, these factors would be unlikely to encourage cycling to the services and facilities with users having to travel along the same routes to reach the nearest cycle path. This would discourage the likelihood of them being a practical route, in particular at times of darkness or adverse weather conditions.
 10. There is a bus stop relatively close to the site near the church. While this gives potential for public transport to be used to reach services and facilities, the infrequent timetable would not make buses an attractive or probable option. Moreover, other bus stops are further away, and the Four Towns and Vale Link Community Transport would not be open to all possible residents, limiting its potential for use by future occupiers.
 11. With the distances involved it may be technically possible to access the other bus stops, services and facilities by foot or bicycle. Nevertheless, given the circumstances above, it would be unrealistic and unlikely due to the characteristics of the surrounding road and PROW network. Therefore, even with telecommunication services and potential home delivery services available, occupiers of the dwelling would be heavily reliant on the use of motor vehicles.
 12. For all these reasons, the site would not be a suitable location for a new dwelling and the scheme would not accord with Policy CS5, CS8 and CS34 of the CS and Policies PSP11 and PSP40 of the PSP. These, in part, set out the strategy for development in the countryside and seek to ensure that new development is located where it will have good access to services giving occupiers a choice of means of travel. Moreover, it would also be contrary to the Framework where it aims to locate development in accessible and convenient locations and promote walking, cycling and public transport use.

Other Matters

13. The reasons for refusal do not relate to the effect of the proposal on the character and appearance of the area, neighbouring residents, highway safety

or biodiversity. As I am dismissing the appeal there is no need for me to consider these matters any further. In any event, a lack of harm is a neutral factor.

14. There is limited information before me of potential fallback positions for proposals that could take place under permitted development. No specific schemes or CLD have been presented and they would be subject to different considerations to the appeal proposal. Consequently, it is not clear what such proposals would entail or what effect they would have. Furthermore, there is no guarantee that they would be built were the appeal dismissed.
15. The approvals for residential development highlighted near the appeal site relate to the conversion of existing buildings¹. Therefore, they are not directly comparable to the appeal proposal, which I have determined on its own merits.
16. The proposal would allow the appellants to remain in the area in a property said to be more suitable to their needs. Nonetheless, these personal circumstances are not sufficient to outweigh the harm and policy conflict identified.
17. While any contribution is worthwhile, being a single unit, the benefits towards housing supply and the economy from the scheme would be very limited. There is no firm evidence in regard to the energy efficiency of the proposed dwelling.

Conclusion

18. Therefore, for the reasons above, and having taken into account all matters raised, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR

¹ Building to the north of The Chilterns Rockhampton, Mount Pleasant Farm Rockhampton and Mile End Farm Rockhampton